

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

Brian Melendez,

Complainant,

vs.

ORDER OF DISMISSAL

Ember Reichgott Junge,

Respondent.

On July 17, 2006, Brian Melendez filed a Complaint with the Office of Administrative Hearings alleging the Respondent knowingly violated Minn. Stat. § 211B.02 by placing the initials "DFL" on her campaign billboards, campaign website, and email correspondence and falsely implying that she was endorsed by the DFL party. On July 18, 2006, Administrative Law Judge Barbara L. Neilson determined that the complaint set forth a prima facie violation of § 211B.02. A probable cause hearing was held on July 20, 2006, and by Order dated July 21, 2006, the Administrative Law Judge found that there is probable cause to believe that Respondent violated Minn. Stat. § 211B.02. The matter was assigned to a panel of Administrative Law Judges and scheduled for an evidentiary hearing on August 7, 2006.

On August 7, 2006, just prior to the commencement of the evidentiary hearing, counsel for the Complainant informed the panel of the Complainant's decision to withdraw the Complaint.¹

Based upon the Complainant's withdrawal of the Complaint,

IT IS ORDERED:

That the Complaint filed by Brian Melendez against Ember Reichgott-Junge is DISMISSED and the file in this matter is closed.

Dated: August 7, 2006

/s/ Barbara L. Neilson

BARBARA L. NEILSON

Presiding Administrative Law Judge

¹ Minn. Stat. § 211B.36, subd. 2, provides that a complainant may withdraw a complaint at any time before an evidentiary hearing.